

REMARKS

Claims 1 and 2 are rejected under 35 USC 102 (b) and claim 3 is rejected under 35 USC 102 (a). Claims 4-25 are objected to and claims 26 an 27 are allowed. These rejections and objections are deemed to be overcome by the present amendment and following remarks.

The indication of allowance of claims 26-27 over the prior art is acknowledged with thanks.

Claims 4-25 are now dependent from claim 1 which applicant has amended to place it in an allowable condition.

Section 102 (b) and (a)

Applicant has amended claim 1 and accordingly claim 2 to include the locking member of claim 4. This distinguishes over Hazard of record in that claim 1 now includes a bracket member with a locking member, which are not disclosed in Hazard. The locking member is a feature that allows the securing of a cap to the container and prevents the unwanted refilling of the container which is limitation of the Hazard patent.

Claim 3 also distinguished over Gerhardt et al, of record for the same reason in distinguishing over Hazard.

The specification of the application is objected to and applicant has corrected the lack of reference patent number by this amendment.

No fees are believed necessary to enter the above-identified amendment. If any fees are required, the USPTO is authorized to charge such fees to deposit account no. 50-0231.

In view of the foregoing amendments and remarks, the application is deemed to be in condition for allowance. If it is not in condition for allowance, the examiner is respectfully requested to call applicants' attorney.

Respectfully Submitted,

By: 
Neil E. Hamilton
Registration No. 19,869

(262) 631-4583
8310 16th Street – M/S 509
Sturtevant, WI 53177-0902
Attorney Docket No.: CM-153 US